

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2016-0036**

**CONCURRENCE WITH THE CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL
BOARD'S ORDER GRANTING AN EXCEPTION TO THE STATE THERMAL PLAN FOR THE
SACRAMENTO REGIONAL WASTEWATER TREATMENT PLANT**

WHEREAS:

1. Sacramento Regional County Sanitation District (Regional San) owns and operates the Sacramento Regional Wastewater Treatment Plant (SRWTP) which provides water treatment service for the cities of Sacramento, West Sacramento, Rancho Cordova, Citrus Heights, Elk Grove, and Folsom. The SRWTP also provides service for unincorporated Sacramento County and the communities of Courtland and Walnut Grove.
2. The SRWTP operates under waste discharge requirements (WDR's) issued by the Central Valley Regional Water Quality Control Board (Regional Water Board) and is subject to the State Water Resources Control Board's (State Water Board) 1972 "Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed bays and Estuaries of California" (Thermal Plan) with respect to the thermal component of the discharge.
3. Regional San conducted several temperature studies at the request of the Central Valley Regional Water Board, the United States Fish and Wildlife Service, the National Marine Fisheries Service and the California Department of Fish and Wildlife (collectively, fishery agencies) to assess the thermal impacts of the discharge on aquatic life of the lower Sacramento River.
4. Regional San has requested an exception to the Thermal Plan and, in support of this request, has submitted documentation to the Central Valley Regional Water Board that indicates that the exception will result in maintenance of balanced indigenous communities of shellfish, fish and wildlife in the vicinity of the SRWTP discharge pursuant to federal Clean Water Act (CWA) Section 316(a).
5. After considering comments by the public and the scientific community, the Central Valley Regional Water Board found that the Thermal Plan exception in the form of alternative effluent limits could be allowed since the discharge from SRWTP will assure protection and propagation of balanced indigenous communities of fish, shellfish, and wildlife in the vicinity of the discharge.
6. On April 21, 2016, following a public hearing, the Central Valley Regional Water Board adopted WDR [Order No. R5-2016-0020](#) for the SRWTP that contains alternative effluent and receiving water limitations. The new WDR provides an exception to Thermal Plan Objectives 5A(1)(a) and 5A(1)(b).
 - a. The exception to Thermal Plan Objective 5A(1)(a) provides that the maximum temperature of the discharge shall not exceed the natural receiving water at Monitoring Location RSWU-001 by more than 20°F from 1 May through 30 September and more than 25°F from 1 October through 30 April.

- b. The exception to Thermal Plan Objective 5A(1)(b) provides that (1) if the natural receiving water temperature is less than 65°F, the discharge shall not create a zone, defined by water temperature of more than 2°F above natural temperature, which exceeds 25 percent of the cross sectional area of the River at any point outside the zone of initial dilution and (2) if the natural receiving water temperature is 65°F or greater, the discharge shall not create a zone, defined by a water temperature of 1°F or more above the natural receiving water temperature which exceeds 25 percent of the cross sectional area of the River at any point outside the zone of initial dilution for more than one hour per day as an average in any month.
7. State Water Board staff has determined that the Central Valley Regional Water Board has followed proper procedures and acted within its authority in adopting SRWTP's alternative thermal effluent and receiving water limitations and in submitting these to the State Water Board for concurrence.
8. The Central Valley Regional Water Board's findings that the alternative thermal effluent and receiving water limitations comply with the requirements of CWA Section 316(a) also fulfill the requirements of State and federal antidegradation policies.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Concurs with the Central Valley Regional Water Board action granting SRWTP an exception to the Thermal Plan and adopting alternative less stringent thermal effluent and receiving water limitations as specified in the Central Valley Regional Water Board Order No. R5-2016-0020.
2. Conditions the alternative effluent and receiving water limitations on continuing compliance with the provisions of CWA Section 316(a) regarding maintenance of balanced, indigenous communities of shellfish, fish and wildlife in the vicinity of the discharge. The alternative limitations shall be reviewed by the Central Valley Regional Water Board at the time of any renewal of SRWTP's discharge permit to determine whether they assure protection and propagation of balanced indigenous communities of aquatic life in the vicinity of the discharge as required by CWA 316(a) and 40 CFR 125.73.

CERTIFICATION


The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on June 21, 2016.

AYE: Chair Felicia Marcus
Vice Chair Frances Spivy-Weber
Board Member Dorene D'Adamo

NAY: None

ABSENT: Board Member Tam M. Doduc
Board Member Steven Moore

ABSTAIN: None



Jeanine Townsend
Clerk to the Board